

**DISTRICT COURT OF MARYLAND FOR** Howard County

LOCATED AT (COURT ADDRESS)

3451 Courthouse Drive

Ellicott City, Maryland 21043-4377

DC Case No: 0T00063588



(City)

DEFENDANT'S NAME (LAST, FIRST, M.I.)

ALI, Wael Gihad

**APPLICATION FOR STATEMENT OF CHARGES (CONTINUED)** Page 2 of 0

On, August 27, 2007, the Howard County Police Department (HCPD) responded to the wooded parkland behind the 12000 blk Green Meadow Drive, Columbia, Howard County, Maryland for the report of a found body. The severely decomposed body of Gihad ALI, DOB: 03/16/1988, was found deceased lying on a secluded foot path in the woods. The Office of the Chief Medical Examiner (OCME) ruled that the manner of death was Homicide. The investigation into the death of Wasel ALI determined that twin brother Wael Gihad ALI, DOB: 3/16/1988 was the person responsible for his death.

The following are the facts that establish probable cause for the arrest of Wael Gihad ALI for the death of Wasel Gihad ALI:

- In the months leading up to the murder of Wasel ALI, he and his brother Wael had enlisted in the United States Army only to AWOL after boot camp.
- The two stole a United States government vehicle which they kept concealed in their garage, used to impersonate police and conduct traffic stops, and stole a United States government handgun.
- HCPD would execute a search and seizure at the home of the ALI family and the brothers were arrested and charged in the fall of 2006.
- In July 2007 the two received a Probation Before Judgment in the Howard County District Court for these charges.
- The brothers were discharged from the Army; other than honorably.
- The brothers were arrested in Arlington, Virginia for impersonating the police and possession of a concealed handgun.

On the morning of August 22, 2007, HCPD Detectives and Tactical Officers executed a search and seizure warrant at the ALI residence on Warm Granite Dr., Columbia, Maryland. This warrant was a continuation of an ongoing investigation and charge against Wasel and Wael ALI that stemmed from their possession of a stolen handgun and their impersonation of police in Arlington County, Virginia on August 17, 2007. Wasel ALI, Wael ALI and their father were home at the time the warrant was executed. Several items of evidence were seized including Wasel ALI's cell phone.

After the police left the residence that morning, Wasel ALI was called by his employer Banana Republic in the Columbia Mall to report to work. Wasel ALI agreed and was transported to work by his brother Wael ALI. Wasel ALI arrived at Banana Republic and was confronted by his employer about an ongoing theft scheme that had been occurring at the location. Wasel ALI could admit to his role in the theft of clothing from the business and implicated his brother Wael ALI. Wasel ALI agreed to resignation and was terminated.

After Wasel ALI was terminated from Banana Republic, his father sent Wael ALI to the Columbia Mall to pick up Wasel ALI. Detectives were able to view video surveillance from the Columbia Mall for August 22, 2007 and determined the following:  
The ALI brothers are observed on video at an AT&T kiosk in the mall.

The ALI brothers can be seen talking with one another and other friends at the kiosk.

The ALI brothers leave the mall in opposite directions.

Wasel ALI is last seen walking past PF Changs on video at 1847 hours on August 22, 2007.

Wael ALI is observed going to his vehicle and immediately driving off past Macy's.

Wasel ALI was supposed to meet Wael ALI at the vehicle but instead walked out a door on the exact opposite side of the mall. Investigators used mall security video, Wael ALI's cell phone records, statements of Wael ALI and others from the time he left to account for his whereabouts until he arrives at the home of a friend approximately 1 hour later.



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- During this hour, there are 25 minutes in which Wael ALI is unaccounted for; that is, from the time he is seen driving past the Macy's until he makes a cell phone call utilizing a cell tower located at Route 175 and Tamar Drive in Columbia, Howard County, Maryland 25 minutes later.
- Wael ALI made his first phone call 25 minutes after driving past the Macy's and called Wasel ALI's girlfriend who lives and works in Virginia. He was not able to contact her but told her later that he was calling to tell her that his brother was missing even though the two had left the mall just 25 minutes earlier.
- Wael ALI calls Wasel ALI's girlfriend 9 times in the next 40 minutes. He knows that she is in Virginia and that Wasel ALI does not have access to a vehicle and would not have had time to get to Virginia.
- Wael ALI also knew that Wasel ALI did not have a cellular phone with him because police had seized it that morning during the search warrant.
- Wael ALI arrived at a friend's home approximately 1 hour after leaving the mall and was described as frantic and in a panic, freaking out and crying over his brother being missing.
- Wael ALI also called several friends about his brother being missing and all would describe him as acting the same.
- Friends would advise that this was unusual behavior for Wael ALI and out of character for him.
- Wael ALI would solicit the help of friends to search Columbia for his brother.
- Wael ALI told one friend that he had already been to the area where Wasel ALI's body was ultimately found.
- Wael ALI advised friends that he had gone to look in this area because he thought Wasel would go somewhere he felt safe.

Approximately four (4) hours after Wasel ALI is last seen on mall surveillance video, he is officially reported missing to the Howard County Police by his brother and father. Wasel ALI's body was found five (5) days later, August 27, 2007. During this five day period, Wael ALI would direct some of the friends searching for his brother to the area where Wasel ALI was later found. They would stand within feet of the dirt footpath where his body lay. Wael ALI stated that he felt something was wrong there. No one ever ventured down and searched the dirt path where Wasel ALI lay.

After Wasel ALI was found murdered, and in the subsequent investigation Wael ALI was interviewed by police detectives a number of times. During these contacts Wael ALI has provided several versions of what he did upon leaving the mall. He has repeatedly lied about his whereabouts during this time. When confronted with his lies and inconsistencies he would change his story. He did advise the following:

- He knew Wasel was not going to come out to the car with him that day.
- He knew exactly what exit from the mall Wasel ALI would come out of.
- He was angry and upset with Wasel ALI over a number of issues in their lives that date back to the previous year and culminated with their recent arrest in Virginia, the search of their residence and lastly the admitted theft scheme from Banana Republic.

9/13/11

*[Handwritten signature]*



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Several friends of the ALI brothers reported the following:

- It was not unusual for Wasel ALI to go off by himself.
- It was unusual for Wael ALI to be acting so frantic and panicked about his brother being missing.
- Wael ALI was the aggressive, dominating and more likely to "blow up" and lose his temper.
- Wasel ALI was described as passive
- The brothers would on occasion become angry with one another and at time the arguments would become physical, to the point of grabbing and choking each other.

The OCME noted that his stomach content at the time of the autopsy revealed a partially digested meal of rice and meat. When Wael ALI's body was found on August 27, 2011, he had a receipt in his pocket from the food court in the Columbia Mall indicating that made this purchase prior to being seen on mall video at the AT&T kiosk on August 22, 2007. The receipt in his pocket would indicate that this was the last meal he ate. The partially digested meal would indicate that the time of death was within a few hours eating this meal.

There is a void of time, 25 minutes, from when Wael ALI drives out of sight of video surveillance at the mall until he makes a cell phone call in area of the cell tower at Rt. 175 and Tamar Dr in Columbia, Howard County, Maryland. Investigators traveled the same paths taken by Wasel and Wael ALI as they left the Columbia Mall. Investigators left the mall as Wael did, drove around to the area of PF Chang's, then to the parking lot adjacent to the park, walked to the path and scene of the murder, lingered for a few minutes (long enough to assault and murder Wasel ALI) and then left, driving towards the ALI home on Warm Granite Dr., Columbia, Howard County, Maryland which takes them by the Rt. 175 and Tamar Dr. cell tower in Columbia, Howard County, Maryland. The time it took to do this was 25 minutes.

Wasel ALI can be seen on mall surveillance video walking away from the mall just after Wael ALI drives away. His body is discovered 5 days later 2.6 miles away from the mall. He was dependent on Wael ALI for transportation. In a statement to police detectives Wael ALI stated that he drove around the mall to see where Wasel ALI would come out. The location Wasel ALI was located was a remote section of the park that was within a couple of blocks from the home where they grew up as children. Friend stated that they frequented this location as children and hung out there together.

Numerous friends of Wasel ALI told investigators that they had no idea who would want to harm him. When Wasel ALI disappeared it was daylight and in an area where there is a high level of pedestrian and vehicular traffic. These same friends stated that there was no way Wasel ALI would get in a car with someone he does not trust.

All events occurred in Howard County, Maryland.

Based on the police investigation into the murder of Wasel Gihad ALI, investigators have determined that Wael Gihad ALI is the only suspect in this case. Based on the above investigation and facts, your affiant requests that an arrest warrant be issued charging Wael Gihad ALI, 3/16/88 with the following:

- |                               |                         |
|-------------------------------|-------------------------|
| • Murder in the First Degree  | • First Degree Assault  |
| • Murder in the Second Degree | • Second Degree Assault |

9/13/11  
Date

Nicholas C. Phillips  
Applicant's Signature

Tr.#111001412211